IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.18844 of 2004
MD. ISHRAFEEL @ MUNCHUN
Versus
STATE OF BIHAR

3 3.7.2009 The instant case has been listed in view of a letter dated 16.6.2009 received from the 2nd Additional Sessions Judge, Darbhanga for a direction to accord permission to allow the petitioner Md. Ishrafeel @ Munchun to furnish bail bond in light of the order dated 10.8.2004 passed in Cr.Misc.No.18844 of 2004.

It appears that the petitioner along with another accused Md. Wasi @ Md. Wasi Ahmad was earlier granted bail by a bench of this court by order dated 10.8.2004. The petitioner, however, did not furnish his bail bond but later he escaped from the jail custody. Subsequently he has been arrested and remanded to this case on 25.4.2009.

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Once the petitioner has been granted bail, it is natural corollary to allow him to furnish his bail bond, although there is enormous delay in furnishing the bail bond. The same cannot be refused on the ground of delay in absence of any conditional order or furnishing of bail bond within any particular time limit. However, subsequent involvement of the petitioner in any other case could be a ground for cancellation of bail.

In view of the facts and circumstances of the case, the learned trial court would be at liberty to accept the bail bond of the petitioner and should also impose any other conditions, as he may deem fit and proper.

(S.P.Singh,J)

KHAN

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